

**MINUTES OF THE BOARD OF SUPERVISORS  
OF MADISON COUNTY, MISSISSIPPI**

REGULAR MEETING OF AUGUST 8, 2011  
Recessed from regular meeting conducted on August 1, 2011

BE IT REMEMBERED that the regular meeting of the Board of Supervisors of Madison County, Mississippi was duly convened, held and conducted on August 8, 2011, in the Board Room on the first floor of the Madison County Office Complex, 125 West North Street, Canton, Mississippi, as follows, to-wit:

The President of the Board, Tim Johnson, presided and called the meeting to order. The following members were present that day:

Present:

Supervisor John Bell Crosby  
Supervisor Tim Johnson  
Supervisor D. I. Smith  
Supervisor Karl M. Banks  
Supervisor Paul Griffin  
Sheriff Toby Trowbridge  
Chancery Clerk Arthur Johnston  
Tax Assessor Gerald Barber  
Tax Collector Kay Pace

Absent:

Also in attendance:

County Administrator and Planning & Zoning Administrator Brad Sellers  
Board Secretary and Deputy Chancery Clerk Cynthia Parker  
County Road Manager Lawrence Morris  
County Fire Coordinator Mack Pigg  
County Purchase Clerk Hardy Crunk  
County Engineer Rudy Warnock  
E911 Director Butch Hammack  
Chief Deputy Tax Assessor Kent Hawkins  
Building and Grounds Director Barry Parker  
Wallace Collins, CPA, Accountant

The Board President announced that the members of the Board present constituted a quorum and declared the meeting duly convened. Supervisor Paul Griffin opened the meeting with a prayer and Tax Assessor Gerald Barber led the members and the audience in the Pledge of Allegiance to the Flag of the United States of America.

***In re: Approval of Increase of Assessment of 2010 Real Property  
Pursuant to Miss. Code Ann. § 27-35-147 et seq.***

WHEREAS, on July 18, 2011, the Board determined that August 8, 2011 would be an appropriate date for a public hearing on the matter of increasing certain real property assessments for 2010 on certain parcels in the county and did set said date for said hearing to begin at the hour of 9:00 am, and

WHEREAS, the Chancery Clerk did prepare and serve the appropriate notices thereof by regular mail to the affected property owners, and the Board does find that said notices were sufficient, and

**President's Initials:** \_\_\_\_\_

**Date Signed:** \_\_\_\_\_

***For Searching Reference Only: Page 1 of 16 (8/8/11)***

WHEREAS, the petitions listing the property owners, the parcel numbers, and amounts of the proposed assessment increases are attached hereto as Collective Exhibit A, spread hereupon, and incorporated herein by reference, and

WHEREAS, the hour of 9:00 am did arise and the Board President did declare the public hearing on said proposed increases to be open, and

WHEREAS, no one did appear to contest or protest said assessment increases, and

WHEREAS, Tax Assessor Gerald Barber appeared before the Board and requested the Board withdraw the petition pertaining to Valerie K. Johnson as his office was in discussion with Ms. Johnson, and

WHEREAS, Mr. Barber also reported that his office had received a signed waiver from Mr. Gary Aldridge,

Following discussion, Mr. John Bell Crosby did offer and Mr. D. I. Smith did second a motion to close the public hearing and approve the assessment increases for the individuals and parcel numbers as set forth in the aforesaid petitions and to withdraw the petitions pertaining to Valerie K. Johnson and Gary Aldridge. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and the assessments of the parcels reflected thereon were and are hereby approved and adopted and the petitions of Valerie K. Johnson and Gary Aldridge were and are hereby withdrawn.

SO ORDERED this the 8<sup>th</sup> day of August, 2011.

***In re: Approval of Consent Agenda Items***

WHEREAS, the Board President announced that he and County Administrator Brad Sellers had conferred in advance of the meeting as to certain matters denominated "Consent Items" which bear Item numbers (2) through (17) on the Agenda and that the same appeared to be routine, non-controversial matters on which all Supervisors were likely to agree, and

WHEREAS, the Board President did explain that any Supervisor could, in advance of the call of the question, request that any item be removed from the Consent Agenda, and

WHEREAS, Board President Tim Johnson requested one (1) additional item be added to the Consent Agenda as No. 18. Being Approve Deletion of Certain Inventory Item from the Sheriff's Department,

Thereafter, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to take the following actions on the Consent Agenda:

**2. Acknowledge "A Day in the Country" 5K Race - Chapel of the Cross Episcopal Church.**

(A true and correct copy of that certain email correspondence dated July 27, 2011 from Mr. Craig Carter requesting to hold said event on October 1, 2011, is attached hereto as Exhibit B, spread hereupon and incorporated herein by reference.)

**President's Initials:** \_\_\_\_\_

**Date Signed:** \_\_\_\_\_

***For Searching Reference Only: Page 2 of 16 (8/8/11)***

3. **Approve Monthly Credit Card Report June 10 - July 10, 2011 - General County.**  
(A true and correct copy of that certain memorandum dated July 25, 2011 from County Purchase Clerk Hardy Crunk is attached hereto as Exhibit C, spread hereupon and incorporated herein by reference.)
4. **Acknowledge and Approve Polling Lease Agreement - Fearn's Chapel Freewill Baptist Church and Farmhaven Volunteer Fire Department.**  
(True and correct copies of those certain Polling Lease Agreements between Madison County and Fearn's Chapel Freewill Baptist Church for a period of four (4) years, is attached hereto as Exhibit D, spread hereupon and incorporated herein by reference and that of Farmhaven Volunteer Fire Department for a period of four (4) years, is attached hereto as Exhibit E, spread hereupon and incorporated herein by reference. The Board President was and is hereby authorized to execute same.)
5. **Approve Notice to Renew Residential Lease Contract on 16th Section Land.**  
(A true and correct copy of that certain Notice to Renew Residential Lease Contract to Kayla Renay Stover, Lot 62, Madison Oaks Subdivision, Part 3 may be found in the Miscellaneous Appendix to these Minutes.)
6. **Acknowledge Reunion Public Improvement District FY 2011-2012 Budget.**  
(A true and correct copy of said budget may be found in the Miscellaneous Appendix to these Minutes.)
7. **Approve and Acknowledge Hiring of Yolanda Stonewall as Part-Time Employee - Chancery Court Judge Janace Harvey-Goree.**  
(A true and correct copy of that certain correspondence dated July 22, 2011 from Judge Harvey-Goree is attached hereto as Exhibit F, spread hereupon and incorporated herein by reference.)
8. **Approve Refund of Deposit to Ms. Linda Robinson - Courtyard Gazebo.**  
(A true and correct copy of that certain memorandum from Ms. Gloria Nichols requesting a refund for Ms. Linda Robinson is attached hereto as Exhibit G, spread hereupon and incorporated herein by reference.)
9. **Acknowledge July 2011 Monthly Report- Road Department**  
(A true and correct copy of the July 2011 Monthly Road Department Report submitted by County Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to these Minutes.)
10. **Acknowledge July 2011 Closed Call Analysis- Road Department**  
(A true and correct copy of the July 2011 Closed Call Analysis submitted by the County Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to these Minutes.)
11. **Acknowledge August 2011 Service Call Schedule- Road Department**  
(A true and correct copy of the August 2011 Road Department Service Call Schedule submitted by County Road Manager Lawrence Morris may be found in the Miscellaneous Appendix to these Minutes.)
12. **Approve Placement of Culverts**  
(A true and correct copy of a spreadsheet containing dates and locations of the placement of culverts for protection of county right of way is attached hereto as Exhibit H, spread hereupon and incorporated herein by reference.)

President's Initials: \_\_\_\_\_

Date Signed: \_\_\_\_\_

*For Searching Reference Only: Page 3 of 16 (8/8/11)*

**13. Approve Beaver Control Assistance Program for FY 2012 and Authorize Payment for Same.**

(A true and correct copy of that certain memorandum dated July 27, 2011 from the Mississippi Beaver Control Assistance Program Advisory Board is attached hereto as Exhibit I, spread hereupon and incorporated herein by reference.)

**14. Declare Certain Inventory Items as Surplus and Delete from Inventory.**

(A true and correct copy of that certain memorandum dated August 3, 2011 from Inventory Control Clerk Loretta Phillips listing the items to be deleted is attached hereto as Exhibit J, spread hereupon and incorporated herein by reference.)

**15. Acknowledge Parkway East Public Improvement District Invoices.**

(A true and correct copy of those certain Parkway East Public Improvement District Invoice nos. 413 through 414 may be found in the Miscellaneous Appendix to these Minutes.)

**16. Acknowledge Personnel Appointments - Road Department.**

(True and correct copies of those certain Personnel Appointment Forms from Road Manager Lawrence Morris are attached hereto as Exhibit K, spread hereupon and incorporated herein by reference.)

**17. Approve Utility Permits.** The following permits allowing use and occupancy for the construction or adjustment of utilities within certain road or highway rights of way were and are hereby approved, and the applications for the same are attached hereto as Collective Exhibit L, spread hereupon, and incorporated herein by reference:

(1) AT&T - seeking to bore ± 32 feet and bury a total of 57 feet for replacement of telephone service wire along Miggins Road,

(2) AT&T - seeking to bury a total of 145 feet for placement of telephone service wire along Barnes Road,

(3) Atmos Energy - seeking to remove an existing 6 inch plastic natural gas pipeline along Johnson Lane,

(4) Comcast - seeking to place underground CATV cable along Hampton Crossing and Hampton Ridge,

**18. Declare Certain Inventory Item as Surplus and Delete from Inventory and Authorize the Sheriff to Purchase the Same.** The Sheriff of Madison County is authorized to purchase said firearm upon the occasion of Chief Deputy Eddie Belvedresi's retirement. The sum of \$10.00 is hereby set and fixed as the amount to be paid for said firearm. (A true and correct copy of that certain affidavit listing the item(s) to be deleted from the Sheriff's Department inventory is attached hereto as Exhibit M, spread hereupon and incorporated herein by reference.)

The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Not present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present, and each item was and is hereby approved, adopted and authorized.

SO ORDERED this the 8<sup>th</sup> day of August, 2011.

**President's Initials:** \_\_\_\_\_

**Date Signed:** \_\_\_\_\_

*For Searching Reference Only: Page 4 of 16 (8/8/11)*

***In re: Acknowledge Report From Madison County Citizens Services Agency***

WHEREAS, Dr. Mary Sims-Johnson, Executive Director of Madison County Citizens Services Agency, and presented that certain status report dated August 8, 2011, a true and correct copy of which may be found in the Miscellaneous Appendix to these Minutes,

Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to acknowledge receipt of said report. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said report was and is hereby acknowledged.

SO ORDERED this the 8<sup>th</sup> day of August, 2011.

***In re: Consideration of Zoning Violation -  
Thomas Roberts/Church Road***

WHEREAS, Zoning Administrator Brad Sellers appeared before the Board and advised the Board of what he deemed to be continuing violations of Mr. Thomas Roberts on property located on Church Road regarding rubbish on property being in violation of county's zoning ordinance, and

WHEREAS, the property in question is that described as tax parcel no. 082D-20-015/01.00

WHEREAS, Mr. Sellers did give written notice, by certified mail, of the continued violations to each party, and

WHEREAS, true and correct copies of certain explanatory memoranda dated June 30, 2011 from Mr. Scott Weeks with the Planning and Zoning Department detailing the violations may be found in the Miscellaneous Appendix to these Minutes stating that no action had been taken to demolish said structures, and

WHEREAS, Mr. Sellers reported that in 2004, the Board did declare said property to be in violation finding that structures had been built without a building permit but that some rubbish and debris had been removed from said property,

Following discussion, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to authorize and direct the Road Manager to clean said property according to the county's zoning ordinance and to place an assessment on the owner's respective tax bill. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the Road Manager was and is hereby authorized and directed.

SO ORDERED this the 8<sup>th</sup> day of August, 2011.

**President's Initials:** \_\_\_\_\_

**Date Signed:** \_\_\_\_\_

***For Searching Reference Only: Page 5 of 16 (8/8/11)***

***In re: Consideration of Preliminary Plats -  
Stillhouse Creek, Phase 7 and Hatheway Lake, Part 2B***

WHEREAS, County/Zoning Administrator Brad Sellers appeared before the Board and presented the preliminary plat of Stillhouse Creek, Phase 7 and Hatheway Lake, Part 2B for the Board's consideration and review, and

WHEREAS, a true and correct copy of said plat may be found in the Miscellaneous Appendix to these Minutes, and

WHEREAS, County Engineer Rudy Warnock requested the Board approve said preliminary plats subject to the developer's submission of geo-technical reports containing typical sections which are to be shown on the face of the plats,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to approve the above referenced preliminary plats subject to geo-technical reports with typical sections to be shown on plats. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said preliminary plats were and are hereby approved with the aforementioned provisos.

SO ORDERED this the 8<sup>th</sup> day of August, 2011.

***In re: Approval to Release Letter of Credit -  
Stillhouse Creek, Phase 1 and 2***

WHEREAS, County/Zoning Administrator Brad Sellers appeared before the Board and presented that certain correspondence dated July 7, 2011 from Mr. Blake Cress of Cress Development, Inc. requesting the county release the letters of credit on Stillhouse Creek, Phase 1 and 2, and

WHEREAS, Mr. Sellers reported that representatives of his office had reviewed the streets within said subdivision and they were up to county standards,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to approve the request and authorize the release of said letters of credit. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said letters of credit were and are hereby ordered released.

SO ORDERED this the 8<sup>th</sup> day of August, 2011.

**President's Initials:** \_\_\_\_\_

**Date Signed:** \_\_\_\_\_

***For Searching Reference Only: Page 6 of 16 (8/8/11)***

**In re: Consideration of Increase in E-911 Surcharges**

WHEREAS, County/Zoning Administrator Brad Sellers appeared before the Board and presented that certain correspondence dated August 3, 2011 from Emergency Management and E-911 Director Butch Hammack requesting the Board’s consideration of increasing the E-911 surcharges, and

WHEREAS, a true and correct copy of said correspondence detailing the reason for the increase is attached hereto as Exhibit N, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to approve increase in E-911 surcharges of \$.20 per residential telephone and \$.40 per business and commercial lines. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	No
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by a majority vote (4-1) of the Board and said request was and is hereby approved.

SO ORDERED this the 8<sup>th</sup> day of August, 2011.

**In re: Discussion of Deadline Announcement for Transportation Enhancement Projects**

WHEREAS, County Engineer Rudy Warnock appeared before the Board and reported that the deadline for the submission of applications for Transportation Enhancement projects was August 30, 2011, and

WHEREAS, Mr. Warnock presented a listing of certain types of projects that qualified for said funding, a true and correct copy of which list may be found in the Miscellaneous Appendix to these Minutes,

WHEREAS, Mr. Warnock recommended the county apply for funding for landscaping, lighting and irrigation along Calhoun Parkway, Phase I and the Sowell Road Interchange,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to authorize County Engineer Rudy Warnock to apply for said Transportation Enhancement Project funding through the Mississippi Department of Transportation for use in landscaping, lighting and irrigation along Calhoun Parkway, Phase I and the Sowell Road Interchange. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and Mr. Warnock was and is hereby so authorized.

SO ORDERED this the 8<sup>th</sup> day of August, 2011.

**President’s Initials:** \_\_\_\_\_

**Date Signed:** \_\_\_\_\_

**In re: Discussion of Forfeiture of LSBP Funds**

WHEREAS, County Engineer Rudy Warnock appeared before the Board and requested the Board authorize Board Attorney Eric Hamer to confer with representatives of Neel Schaffer, Inc. to discuss the expenditure of LSBP funds for various bridge projects, and

WHEREAS, Mr. Warnock reported that Neel-Schaffer, Inc., as the previous State Aid Engineer, had been handling these bridge projects and that he had received correspondence from Office of State Aid stating that Madison County was in danger of losing its funding due to the fact that no monies had been expended,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to authorize Board Attorney Eric Hamer and county Engineer Rudy Warnock to confer with Neel-Schaffer and correspond with the Office of State Aid to request an extension of time within which to make said expenditures if it should be deemed necessary. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and Mr. Hamer and Mr. Warnock were and are hereby so authorized.

SO ORDERED this the 8<sup>th</sup> day of August, 2011.

**In re: Authorization of Advertising for Sulphur Springs Park Lake Project**

WHEREAS, County Engineer Rudy Warnock appeared before the Board and requested the Board authorize the advertising for clearing and grubbing and dam construction for the Sulphur Springs Park Lake Project,

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to authorize Purchase Clerk Hardy Crunk to advertise for bids for clearing and grubbing and dam construction associated with Sulphur Springs Park Lake Project. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and Mr. Crunk was and is hereby so authorized.

SO ORDERED this the 8<sup>th</sup> day of August, 2011.

**In re: Authorization of Board Attorney to Prepare Utility Relocation Agreement**

WHEREAS, County Engineer Rudy Warnock appeared before the Board and requested the Board authorize Board Attorney Eric Hamer to prepare a Utility Relocation Agreement and

**President's Initials:** \_\_\_\_\_

**Date Signed:** \_\_\_\_\_



Right of Way Agreement with Mississippi Department of Transportation (MDOT) in conjunction with the Calhoun Station Parkway, Phase 2 Project,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to (1) authorize Board Attorney Eric Hamer to prepare a Utility Relocation Agreement and Right of Way Agreement with MDOT and (2) authorize County Engineer Rudy Warnock to release plans, specifications and other county documents related to the aforementioned project to MDOT. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and Mr. Hamer and Mr. Warnock were and are hereby so authorized.

SO ORDERED this the 8<sup>th</sup> day of August, 2011.

***In re: Approval of Budget Amendments***

WHEREAS, Mr. Wallace Collins, CPA appeared before the Board and requested the Board's consideration of certain amendments to the current year budget of the county as set forth in that certain document entitled "Madison County Budget Amendments, August 8, 2011," a true and correct copy of which is attached hereto as Exhibit O, spread hereupon and incorporated herein by reference,

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to approve said budget amendments. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by the unanimous vote of those present and said budget amendments and interfund transfers were and are hereby approved and adopted.

SO ORDERED this the 8<sup>th</sup> day of August, 2011.

***In re: Approval of Claims Docket for August 8, 2011***

WHEREAS, the Board reviewed the claims docket for August 8, 2011;

WHEREAS, the Accountant, Wallace Collins, CPA did assure the Board of Supervisors that all claims had been properly documented and where necessary, purchase orders were obtained in advance as required by law; and

WHEREAS, the following is a summary of all claims and funds from which said claims are to be paid:

**President's Initials:** \_\_\_\_\_

**Date Signed:** \_\_\_\_\_

***For Searching Reference Only: Page 9 of 16 (8/8/11)***

Fund	Claim Nos.	No. of Claims	Amount
001	3133 to 3178	46	129,472.92
012	191 to 195	5	516.80
051	47 to 47	1	12,774.26
095	22 to 23	2	29,267.34
097	274 to 281	8	23,244.39
105	216 to 219	4	8,719.79
108	10 to 10	1	270.00
113	11 to 11	1	3,574.00
114	26 to 26	1	2,972.40
115	112 to 114	3	433.47
116	50 to 51	2	625.77
120	82 to 86	5	496.89
121	39 to 39	1	14.73
150	782 to 786	5	28,614.56
160	207 to 210	4	19,009.32
190	153 to 153	1	39.95
302	169 to 174	6	690,405.05
304	26 to 27	2	5,354.25
401	31 to 32	2	6,529.34
402	8 to 8	1	2,710.00
690	21 to 22	2	27,352.06
691	21 to 22	2	27,532.61
TOTAL ALL FUNDS		105	1,019,929.90

HELD CLAIMS

Fund	Claim No.	Payee	Amount
302	169	Utility Constructors Inc.	\$ 322,738.65
302	170	Birdsong Construction Co	\$ 346,764.24
302	172	Burns Cooley Dennis Inc	\$ 7,306.15
302	174	Burns Cooley Dennis Inc	\$ 5,561.55

Thereafter and following discussion, Mr. John Bell Crosby did offer and Mr. Karl M. Banks did second a motion to approve the claims docket as presented, less and except the above noted held claims. Said motion directed that invoice numbers should be attached to each claim on the claims docket and further directed the Chancery Clerk to publish the Summary of Claims as required by law and to authorize the Board President to sign and approve the Claims Docket, a copy of which may be found in the Miscellaneous Appendix to these Minutes, together with a separate Resolution approving payment of said claims, which Resolution is attached hereto as Exhibit P, spread hereupon, and incorporated herein by reference. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye <sup>1</sup>
Supervisor Paul Griffin	Aye

the matter carried unanimously and said Claims Docket was and is hereby approved, less and except the aforesaid held claims, and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 8<sup>th</sup> day of August, 2011.

---

<sup>1</sup>After casting his vote on this matter, Mr. Banks did fully and completely recuse himself from all discussions, deliberations, and debate of the next succeeding matter, excused himself from the meeting and physically departed the meeting room.

**President's Initials:** \_\_\_\_\_

**Date Signed:** \_\_\_\_\_

*For Searching Reference Only: Page 10 of 16 (8/8/11)*

Thereafter, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to approve and pay all the above referenced held claims unto Utility Constructors Inc., Birdsong Construction Co., and Burns Cooley Dennis, Inc. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Not Present and Not Voting
Supervisor Paul Griffin	Aye

the matter carried by unanimous vote of those present and said Held Claims were and are hereby approved, and the Chancery Clerk was and is instructed to issue pay warrants accordingly.

SO ORDERED this the 8<sup>th</sup> day of August, 2011.

***In re: Request to Set a Public Hearing on the Budget and Tax Levy FY 2012***

WHEREAS, Chancery Clerk Arthur Johnston appeared before the Board and requested permission to set a public hearing for consideration of the county's FY 2012 Budget and Tax Levy and publish notice of the same in the time and manner required statute,

Following discussion, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to declare, set and establish September 12, 2011 at 9:00 a.m. as the date for holding a public hearing on the county's proposed budget for FY 2012 and the 2012 tax levy concurrently and to direct the Chancery Clerk to advertise the same by publication, with said notice to reflect no millage rate increase from the previous year. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said public hearing was and is hereby set for September 12, 2011 and the Chancery Clerk was and is hereby authorized and directed to publish notice of said hearing in the time and manner required by statute, the same to reflect no millage rate increase from the previous year.

SO ORDERED this the 8<sup>th</sup> day of August, 2011.

***In re: Adoption of Resolution Endorsing the Goals and Purposes of the Excel By 5 Initiative***

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to adopt the following Resolution, to-wit:

**RESOLUTION**

**WHEREAS**, studies demonstrate without contradiction that children who have learned the ABCs and numbers, have had many children's stories read to them, and have engaged in positive social interactions with peers and adults, progress more fully and faster when they enter kindergarten and thereafter in the education programs presented by the school district; and

**President's Initials:** \_\_\_\_\_

**Date Signed:** \_\_\_\_\_

***For Searching Reference Only: Page 11 of 16 (8/8/11)***

**WHEREAS**, such studies further demonstrate that children who have not been exposed to activities that promote language development, healthy social development and pre-literacy skill development do not progress as rapidly and many of them fall farther and farther behind in learning as they move from grade level to grade level; and

**WHEREAS**, too many of such children ultimately become so discouraged that they become school drop-outs and never attain a high school diploma; and

**WHEREAS**, these drop-outs result in large numbers of our children who will be educationally disadvantaged for the remainder of their lives and will suffer significant social and financial disadvantages compared to students who complete a high school education; and

**WHEREAS**, this Board is committed to reducing substantially the drop-out rate and improving the education opportunities for all of our students; and,

**WHEREAS**, the Excel By 5 early childhood certification process addresses the issue of preparing pre-kindergarten children for advanced learning in kindergarten and thereafter and we believe will prove to be effective in substantially improving educational progress for all children who participate in such programs;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Madison County as follows;

1. That this Board commends and endorses the goals and purposes of the Excel By 5 certification process to enhance and improve the learning opportunities of all pre-school children to the end that the children will be fully receptive to and prepared for the formal education provided by the K thru 12 program of the North Madison County Excel By 5 Initiative;
2. That this Board supports and encourages the Excel By 5 certification process in the North Madison County School area and offers the full support and cooperation of this Board in the implementation of the certification requirements;
3. That this Board encourages and invites the support of the Excel By 5 community coalition by local governments, industry, business, civic organizations, citizens, patrons of this school district, and, especially, parents of pre-kindergarten age children.

The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said Resolution was and is hereby adopted.

SO ORDERED this the 8<sup>th</sup> day of August, 2011.

***In re: Request to Rescind Five-Year Plan***

WHEREAS, Human Resource Director Lisa Mayo appeared before the Board and requested the Board rescind the action taken on August 2, 2010 approving a five-year insurance plan for employee-paid dependent health insurance premiums, and

**President's Initials:** \_\_\_\_\_

**Date Signed:** \_\_\_\_\_

***For Searching Reference Only: Page 12 of 16 (8/8/11)***

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to rescind the five year plan approved on August 2, 2010. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the five year insurance plan was and is hereby rescinded.

SO ORDERED this the 8<sup>th</sup> day of August, 2011.

Thereafter, Ms. Mayo did present a proposed changes to employee insurance denominated as "Plan A" on a true and correct copy of which is attached hereto as Exhibit Q, spread hereupon and incorporated herein by reference, which reflects current rates for employee premiums. Ms. Mayo recommended that the Board approve same.

Following discussion, Mr. Paul Griffin did offer and Mr. Karl M. Banks did second a motion to approve the aforementioned Plan A as reflected on the aforesaid Exhibit Q. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	No
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried by a majority vote (4-1) of the Board and said Plan A changes were and are hereby adopted.

SO ORDERED this the 8<sup>th</sup> day of August, 2011.

***In re: Authorization to Void 2009 Tax Sale -  
Cleaning Assessment - Parcel No. 093D-17C-099/00.00***

WHEREAS, Chancery Clerk Arthur Johnston appeared before the Board and requested the Board declare void the cleaning assessment associated with the 2009 tax sale of parcel no. 093D-17C-099/00.00 assessed to Edward D. And Maxine P. Lindsey, and

WHEREAS, Mr. Johnston reported that the cleaning assessment had been levied against the property owner in the amount of \$4,771.00 on the aforementioned parcel, and that the assessment had been recorded in the Judgment Roll in Circuit Clerk's office as well as re-assessed by the Tax Collector, and

WHEREAS, Mr. Johnston further reported that the Board that he had received funds from Springleaf Financial Services to pay said cleaning assessment on said parcel – and the cleaning assessment only – in satisfaction of the aforesaid judgment; however, said firm did not desire to pay the ad valorem taxes on the real property, and

WHEREAS, a true and correct copy of that certain explanatory memorandum dated August 4, 2011, from Mr. Johnston detailing the rationale for such action is attached hereto as Exhibit R, spread hereupon and incorporated herein by reference,

**President's Initials:** \_\_\_\_\_

**Date Signed:** \_\_\_\_\_

***For Searching Reference Only: Page 13 of 16 (8/8/11)***

Following discussion, Mr. Karl M. Banks did offer and Mr. John Bell Crosby did second a motion to (1) declare void the 2009 tax sale of parcel no. 093D-17C-099/00.00 as to the cleaning assessment only, (2) authorize the Chancery Clerk to accept the funds tendered by Springleaf Financial Services in the amount of \$4,771.00 in full satisfaction of said cleaning assessment, and (3) authorize the Chancery Clerk to issue a Release and Satisfaction of Judgment as to the aforesaid entry on the Judgement Roll. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said 2009 tax sale on parcel no. 093D-17C-099/00.00 was and is hereby declared void as to the cleaning assessment only, and the Chancery Clerk was and is hereby so authorized.

SO ORDERED this the 8<sup>th</sup> day of August, 2011.

***In re: Authorization of Travel to Atlanta, Georgia to Review Township Layout***

Following discussion, Mr. Karl M. Banks did offer and Mr. Paul Griffin did second a motion to authorize and approve the payment of travel and related expenses for Interim County Administrator Brad Sellers, County Engineer Rudy Warnock, Board Attorney Eric Hamer, Fire Coordinator Mack Pigg, and Supervisor Tim Johnson to travel to Atlanta, Georgia to review the layout of a township similar to that of Livingston Township in Madison County. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said travel and related expenses were and are hereby approved and Mr. Sellers, Mr. Warnock, Mr. Hamer, Mr. Pigg, and Mr. Johnson were and are hereby so authorized.

SO ORDERED this the 8<sup>th</sup> day of August, 2011.

***In re: Discussion of Waiver of Posting Bond - North Livingston Road Borrow Pit***

WHEREAS, County Engineer Rudy Warnock appeared before the Board and reported that Mr. Bobby Elmore of Eutaw Construction had requested a waiver for the posting of a bond associated with its surface mining operations on North Livingston Road previously approved by the Board and allowed by another entity , and

WHEREAS, Mr. Warnock reported that ,according to Mr. Elmore, the excavation of the dirt pit would take approximately three to four days, and

WHEREAS, Mr. Warnock indicated that Eutaw was willing to tender a check to the county in the amount of \$45,000.00 to the County in place of posting a bond,

**President's Initials:** \_\_\_\_\_

**Date Signed:** \_\_\_\_\_

***For Searching Reference Only: Page 14 of 16 (8/8/11)***

Following discussion, Mr. Paul Griffin did offer and Mr. D. I. Smith did second a motion to (1) authorize Eutaw Construction to tender a check in the amount of \$45,000.00 to the Chancery Clerk to be held by him in lieu of a bond due to the short term of mining said pit on North Livingston Road and subject to the former conditions of bond which are of record on the minutes of the Board and which were granted to a prior entity, and (2) to direct the Chancery Clerk to hold said funds until completion of mining pit operations or until released by the Board or the County Engineer. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and Eutaw Construction was and is hereby authorized to tender a check in lieu of a bond, and the Chancery Clerk was and is hereby authorized and directed to retain the same until completion of mining pit operations or until released by the Board or the County Engineer.

SO ORDERED this the 8<sup>th</sup> day of August, 2011.

***In re: Authorization to Develop Criteria for  
County Administrator and Comptroller***

Following discussion, Mr. Paul Griffin did offer and Mr. John Bell Crosby did second a motion to authorize and direct Interim County Administrator Brad Sellers, Human Resource Director Lisa Mayo, Chancery Clerk Arthur Johnston, Tax Assessor Gerald Barber and Tax Collector Kay Pace to develop criteria for hiring of County Administrator and County Comptroller and present the same to the Board of Supervisors as soon as possible. The vote on the matter being as follows:

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and the Interim County Administrator, Human Resource Director, the Chancery Clerk, the Tax Assessor, and the Tax Collector were and are hereby so authorized and directed.

SO ORDERED this the 8<sup>th</sup> day of August, 2011.

***In re: Acknowledge Receipt of Funds***

WHEREAS, Sheriff Toby Trowbridge appeared before the Board and presented checks received from various agencies for housing of prisoners as follows:

<u>Entity</u>	<u>Amount</u>
Sharkey County	\$ 102.20

Mr. John Bell Crosby did offer and Mr. D. I. Smith did second a motion to acknowledge receipt of said check. The vote on the matter being as follows:

**President's Initials:** \_\_\_\_\_

**Date Signed:** \_\_\_\_\_

***For Searching Reference Only: Page 15 of 16 (8/8/11)***

Supervisor John Bell Crosby	Aye
Supervisor Tim Johnson	Aye
Supervisor D. I. Smith	Aye
Supervisor Karl M. Banks	Aye
Supervisor Paul Griffin	Aye

the matter carried unanimously and said check was and is hereby acknowledged.

SO ORDERED this the 8<sup>th</sup> day of August, 2011.

THERE BEING NO FURTHER BUSINESS to come before the Board of Supervisors of Madison County, Mississippi, upon motion duly made by Supervisor John Bell Crosby and seconded by Supervisor D. I. Smith and approved by the unanimous vote of those present, the meeting of the Board of Supervisors was recessed until August 22, 2011 at 9:00 a. m. for the purpose of hearing certain protests to assessments contained in the 2011 Preliminary Real and Personal Property Tax Rolls and making the same final in accordance with statute and for the purpose of considering any other business which may properly come before the Board.

\_\_\_\_\_  
Tim Johnson, President  
Madison County Board of Supervisors

Date signed: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Arthur Johnston, Chancery Clerk

**President's Initials:** \_\_\_\_\_

**Date Signed:** \_\_\_\_\_

*For Searching Reference Only: Page 16 of 16 (8/8/11)*